

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:20-cv-00705-D**

JUUL LABS, INC.,

Plaintiff,

v.

SMOKE & VAPE 1 LLC,

Defendant.

ORDER GRANTING MOTION FOR
ENTRY OF DEFAULT JUDGMENT
AND PERMANENT INJUNCTION
AGAINST DEFENDANT SMOKE &
VAPE 1 LLC

This action commenced on December 31, 2020 by the filing of the Complaint. The Summons and Complaint were properly served on the defendant Smoke & Vape 1 LLC, a North Carolina limited liability company, on January 12, 2021. Because Smoke & Vape 1 LLC did not respond to the Complaint and the time for answering the Complaint expired, the Clerk of Court entered default as to Smoke & Vape 1 LLC on June 15, 2021. It is therefore:

ORDERED, ADJUDGED, AND DECREED: That plaintiff JUUL Labs, Inc. have judgment against Smoke & Vape 1 LLC in the amount of \$300,000.00 for statutory damages pursuant to the Lanham Act for willful infringement and counterfeiting of JUUL Labs, Inc.'s trademarks identified by Registration Numbers 4,818,664, 4,898,257; and 5,918,490 at the United States Patent and Trademark Office, and with an award of post-judgment interest to accrue on said monetary award at the relevant statutory rate; and

ORDERED, ADJUDGED, AND DECREED: That Smoke & Vape 1 LLC, and its respective agents, servants, employees, and representatives and all persons in active concert and participation with them, are hereby permanently **ENJOINED AND RESTRAINED** from:

- (i) engaging or continuing to engage in the infringing, unlawful, unfair, or fraudulent business acts or practices relating to any trademarks owned by JUUL Labs, Inc.,

including the marketing, sale, distribution, and/or other dealing in any non-genuine JUUL products, including fake counterfeit products or unauthorized grey-market products;

- (ii) using without permission any mark or other intellectual property right of JUUL Labs, Inc.;
- (iii) acting to infringe trademarks owned by plaintiff JUUL Labs, Inc.;
- (iv) falsely designating the origin of any product to be from JUUL Labs, Inc.;
- (v) engaging in unfair competition with JUUL Labs, Inc.; or
- (vi) acting in any other manner to derogate JUUL Labs, Inc.'s intellectual property rights.

SO ORDERED. This 15 day of September 2021.



JAMES C. DEVER III
UNITED STATES DISTRICT JUDGE